

Helix School District 1R

Code: **JECBA**
Adopted: 1/8/97
Orig. Code(s): None

Admission of Nonresident Students

Pursuant to ORS 343.221 (3) and ORS 339.133 (6), the following provisions shall be a contract between Helix School District and any district that sends students to this district or accepts Helix students in their enrollment.

1. The resident district shall retain all responsibility for ensuring that the parents and the child are afforded all special education rights and procedural safeguards under state and federal law, including, but not limited to:
 - a. Childfind, the evaluation for eligibility, for special education if the resident district suspects that a child has a disability and needs special education services.
 - b. Individualized educational program (IEP). The attending district may initiate and conduct IEP meetings for the review of an IEP if requested to do so in writing by the resident district. A representative of the resident district shall attend all IEP meetings.
 - c. Educational placement of the child.
 - d. Provision of a free appropriate public education.
 - e. Prior written notice to the parents when the resident district proposes or refuses to initiate the identification, evaluation or educational placement of the child or the provision of a free appropriate public education, including a change in placement if the contract is rescinded.
 - f. Stay put which allows the child to remain in his or her present educational placement at the attending district during the pendency of any special education due process hearing or judicial proceeding unless the resident district and the parents of the child agree otherwise.
 - g. The resident district shall be the school district of record for any special education due process hearing or judicial proceeding arising out of the child's placement or program.
2. The attending district shall:
 - a. Allow the child to remain in his or her present education placement at the attending district during the pendency of any special education due process hearing or judicial proceeding unless the resident district and the parents of the child agree otherwise.
 - b. Immediately notify the resident district if the attending district suspects that the child may have a disability and may need special education services.
 - c. Immediately notify the resident district if the child, whether he or she is a special education student or not, has engaged in conduct that may lead to a suspension or an expulsion.
 - d. Immediately notify the resident district of any complaint made by the parents of the child regarding the child's regular or special education program at the attending district.

END OF POLICY

Legal Reference(s):

[ORS 109.056](#)

[ORS 294.100](#)

[ORS 327.006](#)

[ORS 329.485](#)

[ORS 335.090](#)

[ORS 339.115 - 339.133](#)

[ORS 339.141](#)

[ORS 339.250](#)

[ORS 343.221](#)

[ORS 433.267](#)

Letter Opinions, Office of the Attorney General (March 15, April 18, June 30, 1988).
Oregon Department of Education, Memos #23-1988-89, #42-1994-95.